IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

Bail Appl..No. 5784 of 2007()

CMP.6938/2007 of J.M.F.C.,KATTAKADA
CRIME NO.59/07 OF KATTAKKADA EXCISE RANGE.

.....

: PETITIONER/ACCUSED IN CRIME NO.59/2007:

VIJAYAMMA, AGED 55,
D/O. KAMALAMMA, PURATHEVILA PUTHEN VEEDU,
KARODE DESOM, VILAPPIL VILLAGE,NEYYATTINKARA TALUK

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS: COMPLAINANT IN CRIME NO.59 OF 2007:

STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5784 of 2007

Dated this the 25th day of September, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. She was allegedly found to be in possession of 2.5 litres of arrack on 14/8/07. She was not arrested on that date. She surrendered later on 6/9/07. She continues in custody from that date. The learned Public Prosecutor submits that the petitioner is not involved in any other crime.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make herself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

Nan/